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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/656,310	09/06/2000	Goro Ishida	04783/016001	9423

22511 7590 05/04/2005

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EXAMINER

POON, KING Y

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/656,310

Applicant(s)

ISHIDA, GORO

Examiner

King Y. Poon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 18-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 18-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 July 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 3 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 3: The limitation of “preparing second print setting information based on printer characteristic information sent from the host device” is subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 6-10, 23-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 6, 23: The limitation of "requesting print object data to be arranged within said divided prescribed partial areas from said host device based on said first print setting information," is unclear.

It unclear the claim is claiming "the printer requests the print object data from the host" or "the host is requesting the printer to arrange the print object data within the divided prescribed partial area."

Regarding claims 7-10, 24-27: Claims 7-10, 24-37 are rejected under 35 U.S.C. 112, second paragraph because they depend on rejected claims 6, 23.

Based on the confusion, the examiner cannot reasonably interpret the claims and apply prior art rejection.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claim 39 is rejected under 35 U.S.C. 102(e) as being anticipated by Gase (US 6,184,996).

Regarding claim 39: Gase teaches computer readable medium (inherently, programs are stored in a computer readable memory) storing a program (column 3, lines 1-11) for making a printer (14, fig. 1) print the print object data in a host device (10, 12, fig. 1) , comprising a processing function for outputting prescribed command data (command of for controlling printers, column 4, lines 20-35) to said printer and receiving prescribed command data (request for printer, column 3, lines 25-30) from said printer, interpreting said received prescribed command data (column 1, lines 10-45, signals must inherently interpreted by the host to understand what the signals are intended for); and performing prescribed processing (responds, column 3, lines 27-30) in accordance with results of the interpreting, wherein said processing function comprises: a setting request function for outputting command data (column 4, lines 20-37, column 4, lines 44-47, printer job detail page, fig. 4) relating to the print setting; and data output means (the programs that reads a print job from an application, column 3, lines 1-10) for reading said print object data from a prescribed storage device (ready for submission, column 3, lines 1-10; i.e., a print job is there, but not being submitted; in order not to lose the print job, there must be a memory for storing the print job) based on command data relating to the data request sent from said printer in response to the command data

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(column 3, lines 10-25) output from the setting request function, and outputting command data (print data is a command for instructing the printer how to print) relating to data transmission (the print data is transmitted data, column 3, lines 25-30) based on said print object data.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-5, 11-14, 35, 37, 38, 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pipeline Corporation, The hard copy observer, March 1997 in view of Gase (6,184,996).

Regarding claims 1, 37, 40: Pipeline teaches a printing method with a printer (printer, fig. on page 45) connected to a host device (PDA, Cell pone, computer, etc., fig. on page 45), comprising: receiving first print setting information (setting the printer to periodically access a prescribed list Web site for receiving print objects, 1st column, lines 31-45, page 45, and providing URL's to the printer, column 2, page 45) from a host device (PDA, Cell pone, etc, fig. on page 45); requesting print object data (pages, 1st column, lines 31-45, page 45) to a Web site pursuant to said first print setting information; receiving print object data sent from the web site in reply to said request,

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and printing said print object data based on said first print setting information (1st column, lines 31-52, page 45).

Pipeline, does not teach the Web site is the host computer, and the print setting information comprises print specification information.

Gase, who uses his invention to improve on Pipeline's printing system (column 1, lines 45-67, column 2, lines 1-25), teaches the computer, that a user used to program a printer, is the same computer that the printer used to access a print object (column 3, lines 15-25). Gase also teaches the print setting information (programming information) include print specification information (job entry parameter entered while entering a print job, column 4, lines 15-20, lines 40-48 includes e.g., print format, fig. 3, or number of copies)

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Pipeline to include: the host that setting the printer to periodically access a prescribed list Web site for receiving print objects is the same computer that provides the print object; and the print setting information comprises print specification information.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Pipeline, after reading Gase, because the modification is taught by Gase, and is desirable (column 2, line 1, Gase). Print specification information may allow a user to tailor his print job according to the user's preference.

Regarding claim 2: Gase further teaches the desired modification to Pipeline's printing system comprising: receiving inquiry information regarding the print setting sent from said host device (column 3, lines 36-67); sending reply information to said host device based on the characteristic information of said printer in reply to said received inquiry information (fig. 2-4); and receiving first print setting information (the user would program the printer after receiving the reply, column 4, lines 20-45) sent from said host device in response to said reply information.

Regarding claim 3: Pipeline further teaches preparing second print setting information (keeping track of the time, inherent properties when a printer access the host periodically) based on printer characteristic information (the printer programs determines printer characteristic) sent from said host device (program, column 1, line 39, page 45); and printing the print object data sent from said host device based on said first print setting information and/or second print setting information.

Regarding claim 4: Pipeline teaches when said first print setting information designates printing based on a plurality of print object data (pages, column 2, page 45), respectively requesting said plurality of print object data.

Regarding claim 5: Gase further teaches the desired modification to Pipeline's printing system comprising: specifying print object data in a prescribed order (column 4, lines 25-32, Gase, also see column 2, page 45, Pipeline) based on said first print setting information; and requesting said specified print object data.

Regarding claim 11: Pipeline teaches requesting specific print object data (column 2, page 45) from said host device based on issued management information

(periodically access the host is management information), wherein management information comprises print object data specifying information (inherent in Pipeline, if the print object cannot be identified, the print object cannot be retrieved).

Regarding claim 12: Gase further teaches the desired modification to Pipeline's printing system comprising: receiving an issuance request of management information (column 3, lines 50-67) sent from said host and issuing said management information in accordance with the print setting information (e.g., description of job, status of job, column 3, lines 50-67, fig. 3, the print job are set according to print setting information) in response to said received issuance request.

Regarding claim 13: Gase further teaches the desired modification to Pipeline's printing system comprising: issuing new management information when the processing related to the printing of print object data sent from said host device is completed (printed, column 3, line 61, fig. 3).

Regarding claim 14: Gase further teaches the desired modification to Pipeline's printing system comprising: releasing the management information of said completed print object data when the processing relating to the printing of said print object data is completed, and sending said released management information to said host device (printed, column 60, line 61, fig. 3).

Regarding claim 35: Pipeline teaches a printer (printer, fig. on page 45) connected to a host device, (PDA, computer etc, fig. on page 45) comprising: first storage means (the program of the printer, column 1, line 31-45, inherently, program code are stored in a memory/storage means) storing its characteristic information

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(program information); second (inherently properties, a memory unit can either store a 1 or 0; therefore a memory can not store two things) storage means for storing print setting information (the program from user, e.g., periodically access a web site, column 1, lines 31-45) ; reception means (the device that receives user's program) for receiving first print setting information sent from said host device; and setting means (the software that interprets the program and controls the printer to send a request for stock quotes at eight o'clock, column 1, lines 31-45) for converting the first print setting information received by said reception means into second print setting information (keeping track of the time 8 o'clock) based on the characteristic information stored in said first storage means; wherein said printer prints the print object data sent from a web site based on the second print setting information stored in said second storage means.

Pipeline, does not teach the Web site is the host computer, and the print setting information comprises print specification information.

Gase, who uses his invention to improve on Pipeline's printing system (column 1, lines 45-67, column 2, lines 1-25), teaches the computer, that a user used to program a printer, is the same computer that the printer used to access a print object (column 3, lines 15-25). Gase also teaches the print setting information (programming information) include print specification information (job entry parameter entered while entering a print job, column 4, lines 15-20, lines 40-48 includes e.g., print format, fig. 3, or number of copies)

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Pipeline to include: the host that

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setting the printer to periodically access a prescribed list Web site for receiving print objects is the same computer that provides the print object; and the print setting information comprises print specification information.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Pipeline, after reading Gase, because the modification is taught by Gase, and is desirable (column 2, line 1, Gase). Print specification information may allow a user to tailor his print job according to the user's preference.

Regarding claim 38: Gase further teaches the desired modification to Pipeline's printing system comprising: obtaining characteristic information (fig. 2-fig. 4) of a printer necessary for printing with a specific printer from said specific printer, preparing said first print setting information (column 4, lines 20-35) by the host based on said obtained characteristic information; and sending said prepared print setting information to said specific printer.

9. Claims 18-22, 28-34, 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pipeline Corporation, The hard copy observer, March 1997 in view of Gase (6,184,996) and Nagata (US 5,138,696).

Regarding claim 18: Pipeline teaches a printer (fig. on page 45) connected a host device (PDA, computer etc, fig. on page 45), comprising: a processing means (the software of the printer, PIPS, fig. on page 45) for interpreting (inherently, there must be a software/means to interpreting signals received to understand what the signals are

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intended for) command data (programming instruction from user, column 1, lines 31-45) sent from said host device and performing prescribed processing (requesting daily stocks at 8 o'clock, column 1, lines 31-45, page 45) in accordance with the results of the interpreting; printing means (all printers must have a printing means that print images on a recording medium) for executing printing to a print recording medium, wherein said processing means includes: request means (the requesting software that request print pages, column 1, lines 31-45, page 45) for requesting from a web site for the print object data designated by print setting information based on command data relating to the print setting; and a generation means (the program that reproduce 1, or 0's from the electric signals received by the printer) for generating print object data obtainable based on command data relating to data transmission based on print setting information (the printing data must be generated before 8 o'clock).

Pipeline, does not teach the Web site is the host computer, and the print setting information comprises print specification information.

Gase, who uses his invention to improve on Pipeline's printing system (column 1, lines 45-67, column 2, lines 1-25), teaches the computer, that a user used to program a printer, is the same computer that the printer used to access a print object (column 3, lines 15-25). Gase also teaches the print setting information (programming information) include print specification information (job entry parameter entered while entering a print job, column 4, lines 15-20, lines 40-48 includes e.g., print format, fig. 3, or number of copies)

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Pipeline to include: the host that setting the printer to periodically access a prescribed list Web site for receiving print objects is the same computer that provides the print object; and the print setting information comprises print specification information.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Pipeline, after reading Gase, because the modification is taught by Gase, and is desirable (column 2, line 1, Gase). Print specification information may allow a user to tailor his print job according to the user's preference.

Pipeline and Gase does not teach generating bit map data and storing these bit map data in a prescribed memory.

Nagata, in the same area of printing, teaches generating bit map data and storing these bit map data in a prescribed memory (column 3, lines 12-35).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Pipeline to include generating bit map data and storing these bit map data in a prescribed memory.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Pipeline because of the following reasons: (a) bit map data would have instruct the printer what to print at a particular point; and (b) storing would have prevent the print data being lost before they are printed.

Regarding claim 19: Gase further teaches the desired modification to Pipeline's printing system comprising: wherein the processing means sends to the host device receiving inquiry information based on its characteristic information (fig. 2-4) in response to command data relating to a print setting inquiry (column 3, lines 36-67); and receives command data (program data) relating to the print setting sent from the host device in response to said reply information (the user would program the printer after receiving the reply, column 4, lines 20-45).

Regarding claim 20: Pipeline further teaches wherein the processing means prepares second print setting information (keeping track of the time, inherent properties when a printer access the host periodically) based on the characteristic information of the first print setting information sent from said host device; and printing the print object (generating bit map data) data sent from said host device based on said first print setting information and/or second print setting information.

Regarding claim 21: Pipeline teaches when said first print setting information designates printing based on a plurality of print object data (pages, column 2, page 45), said processing means respectively requesting said plurality of print object data.

Regarding claim 22: Gase further teaches the desired modification to Pipeline's printing system comprising: specifying print object data in a prescribed order (column 4, lines 25-32, Gase, also see column 2, page 45, Pipeline) based on said first print setting information; and requesting said specified print object data.

Regarding claim 28: Pipeline teaches wherein the processing means requests specific print object data (column 2, page 45) from said host device based on issued management information (periodically access the host is management information).

Regarding claim 29: Gase further teaches the desired modification to Pipeline's printing system comprising: wherein the processing means issues said management information in accordance with the print setting information (e.g., description of job, status of job, column 3, lines 50-67, fig. 3, the print job are set according to print setting information) in response to a command (column 3, lines 37-45) request relating to the issuance request of management information.

Regarding claim 30: Gase further teaches the desired modification to Pipeline's printing system comprising: wherein the processing means issues new management information when the processing related to the printing of print object data is completed (printed, column 3, line 61, fig. 3).

Regarding claim 31: Gase further teaches the desired modification to Pipeline's printing system comprising: wherein the processing means releases the management information of said completed print object data when the processing relating to the printing of said print object data is completed, and sends said released management information to said host device (printed, column 60, line 61, fig. 3).

Regarding claim 32: Gase further teaches the desired modification to Pipeline's printing system comprising: wherein the processing means requests said print object data to said host device upon receiving information (column 3, lines 15-25, column 4, lines 25-37, a user set the printer/sending information to the printer to request a

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particular job first, inherently, host transmit code to printer and all code transmitted to the printer also contain information of indicating the end of the code) relating to the termination of the print setting from said host device.

Regarding claim 33: Gase further teaches the desired modification to Pipeline's printing system comprising: wherein the processing means suspends printing (fig. 3, fig. 4, select a printing job to be cancel) upon receiving print suspension information from said host device while printing said print object data.

Regarding claim 34: Gase further teaches the desired modification to Pipeline's printing system comprising: wherein the processing means sends information (status of a print job, column 3, lines 59-62) relating to the termination of print processing to said host device upon suspending said printing.

Regarding claim 36: Pipeline teaches A computer readable medium (inherently, all program are stored in a computer readable medium) storing a program (column 1, lines 1-7, page 45) for controlling a printer (fig. on page 45) connected a host device (PDA, computer etc, fig. on page 45), comprising: a processing function for interpreting command data (programming instruction from user, column 1, lines 31-45) sent from said host device and performing prescribed processing (requesting daily stocks at 8 o'clock, column 1, lines 31-45, page 45) accordance with the results of the interpreting (user sending a program/signal and the printer must (inherent) interpret the signal to understand what the user wants), wherein said processing function comprises a request function (column 1, lines 31-45, page 45) for requesting to a web site for the print object data designated by print setting information based on command data relating to the print

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setting; and a generation function (the program that reproduce 1, or 0's from the electric signals received by the printer) for generating print object data obtainable based on command data relating to data transmission and print data based on print setting information (the printing data must be generated before 8 o'clock).

Pipeline, does not teach the Web site is the host computer, and the print setting information comprises print specification information.

Gase, who uses his invention to improve on Pipeline's printing system (column 1, lines 45-67, column 2, lines 1-25), teaches the computer, that a user used to program a printer, is the same computer that the printer used to access a print object (column 3, lines 15-25). Gase also teaches the print setting information (programming information) include print specification information (job entry parameter entered while entering a print job, column 4, lines 15-20, lines 40-48 includes e.g., print format, fig. 3, or number of copies)

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Pipeline to include: the host that setting the printer to periodically access a prescribed list Web site for receiving print objects is the same computer that provides the print object; and the print setting information comprises print specification information.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Pipeline, after reading Gase, because the modification is taught by Gase, and is desirable (column 2, line 1, Gase). Print

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specification information may allow a user to tailor his print job according to the user's preference.

Pipeline and Gase does not teach generating bit map data and storing these bit map data in a prescribed memory.

Nagata, in the same area of printing, teaches generating bit map data and storing these bit map data in a prescribed memory (column 3, lines 12-35).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Pipeline to include generating bit map data and storing these bit map data in a prescribed memory.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Pipeline because of the following reasons: (a) bit map data would have instruct the printer what to print at a particular point; and (b) storing would have prevent the print data being lost before they are printed.

Response to Arguments

10. Applicant's arguments filed 1/5/2005 have been fully considered but they are not persuasive.

With respect to applicant's argument that Gase fails to disclose that the print object is read based on a response sent by the printer to the command data that is output from a setting request function, has been considered.

In reply: host computer is controlled by program code; different function of a host requires different program code. The output mean of the host is the program of the host that control the host to respond with text of the print job, column 3, lines 25-30 is response to a command (URL) from a printer in response to a host input, (column 4, lines 44-47, fig. 4) of a print job. The host input of the new print job is the setting request function.

With respect to applicant's argument that print setting information is information such as the format of the page to be printed, the print quality etc.

In reply: the etc. include designating automatic arrangement of print object data (claim 6) which is totally unrelated to format or print quality.

Therefore, the print setting information is any information that is related to a print job that is sent to the printer.

Setting the printer to periodically access a print object of Pipeline; the setting of a priority of a print job, the setting a print job as a spread sheet or letter, the setting of number of copies, the setting of a URL of the print object etc, of Gase column 4, fig. 4; are all print setting information.

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (571) 272-7440.

A handwritten signature in black ink, appearing to read 'King Y. Poon', is written above the printed name.

**KING Y. POON
PRIMARY EXAMINER**

4/24/05